IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CERTAINTEED CORPORATION,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
VS.	)	03-CV-2131 (PBT)
	)	
MODERN PRODUCTS INDUSTRIES, INC. and ROY THEIN,	)	
	)	
Defendants.	)	

ORAL VIDEOTAPED DEPOSITION OF MORRIS G. HANEY

October 26, 2004

COPY

A P P E A R A N C E S:

APPEARING FOR PLAINTIFFS:

DUANE MORRIS LLP
BY: MR. ANTHONY J. FITZPATRICK
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(617) 289-9220

APPEARING FOR DEFENDANTS:

GUNN & LEE, P.C.
BY: MR. JOHN C. CAVE
700 N. St. Mary's Street, Suite 1500
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(210) 886-9500

ALSO PRESENT:

MR. MORRIS G. HANEY,
the Witness;

MR. LOUIS SOUCIE,
Videographer;

MS. SHIRLEY J. MORRISON
Certified Shorthand Reporter
in and for the State of Texas.

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A. Well, it eliminates a need for a coupling, which makes two joints or two threaded areas on a connection. Rather than -- rather than that, our product offers only one connection which reduces the possibilities of a leak by 50 percent. It adds an alignment feature which allows you to start the threads, the male into the female, with ease without any possibility of cross-threading. And when the joint's properly installed, that alignment feature then becomes strain relief for the -- for the joint itself, which reduces breakage significantly.

Q. Any other problems that are addressed by this product?

A. Well, the lack of need for a nonmetallic coupling of some sort or a plastic coupling of some sort. It's totally eliminated.

Q. And what's the advantage of that?

A. Well, plastic couplings are historically weak, and there are some instances where pipe would be installed with male and female adapters and they're extremely susceptible to breakage. The metallic couplings are either corrosive, they're subject to the -- if there's an aggressive water that's being pumped through these pipes, electrolysis would eat the couplings up. If you go with a

stainless or a brass coupling, they're more expensive; and then also they -- it adds weight to your -- to your drop pipe and cost to the installation.

Q. Now, I'm just going to go back to something that you just said.

MR. FITZPATRICK: Actually, could you read back that prior answer, please?

THE REPORTER: Answer: Well, plastic couplings are historically weak and there are some instances where pipe would be installed with male and female adapters and they're extremely susceptible to breakage. The metallic couplings are either corrosive, they're subject to the -- if there's an aggressive water that's being pumped through these pipes, electrolysis would eat the couplings up. If you go with a stainless or a brass coupling, they're more expensive; and then also they add weight to your -- to your drop pipe and costs to the installation.

Q. (By Mr. Fitzpatrick) Now, you indicated, Mr. Haney, that there are instances where male and female connections have been used and they're susceptible to breakage?

A. Yes, that's very true.

Q. When you speak of male-to-female

during the discussion that we -- having both installed wells and put a lot of pipe together, put a lot of fittings together, you become aware of the fact that in the field, application of 20-foot joints of pipe, you're not always perfectly aligned. And the necessity for a 20-foot joint that would easily screw into another 20-foot joint male by female and align itself properly and not allow it to cross-thread was very important.

Q. How were the -- the female threads threaded on the initial sample or samples that you made?

A. Well, the initial sample was cut off about the length you see on the table there and threaded in a lathe. Just a plain old metalworking lathe.

Q. You said that you came up with a mandrel after a couple of tries. What were the problems you had in coming up with the mandrel?

A. Dimensional control. Getting the proper dimension so that you'd get a full thread depth without weakening the product to some extent.

Q. And so Ed had to make a couple of different mandrels before you got to that point?

A. That's correct.

Q. Then you said you worked on the alignment feature.

A. Oh, Water Well National -- the Water Well Journal and National Driller. The PPFA has bulletins out on -- on the care that has to be taken with fittings.

Q. What's the PPFA?

A. Plastic Pipe and Fittings Association.

Q. Now, you spoke of galvanized fittings being replaced on an annual or semiannual basis. Is that how frequently it's necessary to replace galvanized fittings?

A. In some of the applications we have Shur-Align in, fittings were replaced every six months, and we've eliminated that necessity.

Q. And Mr. Thein spoke yesterday of pump failures.

A. That's correct.

Q. And -- and he indicated that the average life, I believe, of a pump is about 17 years?

A. I'd say that's the average life, yes.

Q. And do you have any understanding as to what the sort of standard life would be for a -- an injection-molded plastic coupling?

A. No, I have no idea.

Q. Other than a pipe failure or a coupling failure, are there any other reasons why it would be